

EXHIBIT A

From: Joshua Koltun <joshua@koltunattorney.com>

Date: November 24, 2023 at 3:43:52 PM CST

To: navidhillon@paulhastings.com, "Karis, Hariklia" <hkaris@kirkland.com>, "Nomellini, Mark J." <mnomellini@kirkland.com>, jkelley@kirkland.com

Subject: California Sportfishing Protection Alliance v. Pacific Bell Telephone Company -- Beyond the Blue subpoena

This message is from an EXTERNAL SENDER

Be cautious, particularly with links and attachments.

Dear Messrs. Dhillon, Nomellini, and Kelley and Ms. Karis:

I have been engaged to represent Below the Blue (BtB), Marine Taxonomic Services LLP(MTS) Seth Jones and Monique Rydel-Fortner regarding the discovery sought in *California Sportfishing Protection Alliance v. Pacific Bell Telephone Company* (ED Cal).

I assume that the identical, duplicative subpoenas, including that to MTS in the Southern District, are simply efforts by AT&T to make sure it has covered its bases. I propose to consolidate all these discovery disputes in the Eastern District. For simplicity's sake, in this email, I will refer to all these persons and entities as "BtB." I don't anticipate making any arguments distinguishing between corporate entities, or between corporate or individual access to documents or things. Lets get straight to the heart of the dispute.

I first communicated with BtB on Wednesday, the day before Thanksgiving, and am trying to get on top of this case as quickly as I can. I fully understand how frustrating it has been for you to face delays that have been entailed by BtB's inability to obtain counsel. But as you are aware and acknowledged to the Court, that is the result of an ongoing saga in which the Vance Center has found counsel apparently willing to represent BtB, only to have those firms decline or withdraw such representation. BtB has at all times acted in good faith in seeking to find counsel, and now has found it (me).

Until now, in the absence of counsel, Seth Jones was (i) not competent to fully flesh out and meet and confer on the objections to discovery that he stated on August 23, and (ii), as the Court noted, barred by law from appearing and representing BtB by way of opposition to your motion or, for that matter, to engage in the Court's informal procedures for resolving discovery disputes. That being the case, I would propose that we enter into an expedited process whereby I will shortly present formal discovery responses to the subpoenas, and then we would expeditiously meet and confer in an

Alternatively, if AT&T is unwilling to meet and confer on the substance of the underlying discovery, I would propose to move the Court to reconsider its ruling on the motion to compel. As I understand matters, we would need to meet and confer on that proposed motion and then present it to the court under its informal procedures first. I would be surprised if under the circumstances the Court is not willing to allow BtB to renew the underlying discovery dispute now that it has obtained counsel. I think that this alternative step would needlessly complicate and delay matters, which is the opposite of what I am trying to accomplish. So let me know if you will stipulate to skipping that procedural step and go straight to meeting and conferring on the underlying discovery dispute on an expedited basis.

Either way, lets meet and confer. I realize that I am writing you during a holiday weekend and I have no desire to interfere with your enjoyment of it. But if you wish, I can make myself available to discuss this over the weekend. Similarly, insofar as we may be discussing the scheduling of discovery meet/confer and/or motion practice (formal or informal or both), I can be available to work over the upcoming Christmas/New Year holidays, but am also happy to accommodate your own holiday plans.

Best regards. I look forward to hearing from you.

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